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11 COUNTY OF SANTA CLARA

12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 (San José Division)

15 CALVARY CHAPEL SAN JOSE, et al.,

16 Plaintiffs,

17 v.

18 COUNTY OF SANTA CLARA,

19 Defendant.

No. 20-CV-03794 BLF

**JOINT STIPULATION TO EXTEND  
EXPERT DISCOVERY DEADLINES; AND  
[PROPOSED] ORDER**

20 **JOINT STIPULATION**

21 Pursuant to Civil Local Rule 6-2, the parties hereby agree and stipulate to the following  
22 extension of the expert discovery deadlines to accommodate the schedules of counsel and the  
23 witnesses.

24 WHEREAS the current deadline for expert discovery is March 3, 2023;

25 WHEREAS the parties have engaged in reasonably diligent efforts and expert discovery is  
26 underway;

27 WHEREAS the continued and further deposition of Mr. Stephen Petty was scheduled for  
28 March 2, 2023, but due to unforeseen circumstances, Mr. Petty could not be available on March 2;  
however, he will be available for deposition on March 8, 2023, and the parties wish to proceed on  
that date;

1 WHEREAS the deposition of Professor Dan Ho was scheduled for February 17, 2023, but  
 2 the parties agreed to continue that deposition; and Prof. Ho. is available for deposition on March 21,  
 3 2023, and the parties wish to proceed on that date;

4 WHEREAS the deposition of Dr. Tracy Hoeg, which was being conducted via  
 5 videoconference, was cut short due to a power outage at the County of Santa Clara's offices on  
 6 February 23, 2023. Dr. Hoeg is available on March 6, 2023, to complete her deposition and the  
 7 parties wish to proceed on that date;

8 WHEREAS the parties believe that extending the time for expert discovery in order to  
 9 conduct and complete these depositions is necessary to accommodate the witnesses and in order to  
 10 prepare for trial, which is set to begin on May 22, 2023;

11 WHEREAS there is good cause to extend the expert discovery deadlines to accommodate the  
 12 schedules of the deponents and counsel;

13 WHEREAS the parties have previously stipulated to and otherwise sought modifications to  
 14 briefing schedules, filing and response deadlines, discovery deadlines, and the ADR deadline. *See,*  
 15 *e.g.*, ECF 52, 77, 100, 103, 107, 118, 142, 148, 168, 180, 216, 218, 228, and 254; and

16 WHEREAS the parties do not expect the agreed-upon extension to affect the overall schedule  
 17 for the case, including pre-trial preparations, apart from the expert discovery deadlines.

18 Accordingly, for good cause shown, the parties stipulate and respectfully request the Court  
 19 enter an order extending the expert discovery deadlines as set forth above and in the proposed order  
 20 submitted herewith.

21 **IT IS SO STIPULATED.**

22 Dated: March 2, 2023

JAMES R. WILLIAMS  
 County Counsel

24 By: /s/ Robin M. Wall

ROBIN M. WALL  
 Deputy County Counsel

26 Attorneys for Defendant  
 COUNTY OF SANTA CLARA

1 Dated: March 2, 2023

TYLER & BURSCH, LLP

3 By: /s/ Mariah Gondeiro

MARIAH GONDEIRO

Attorneys for Plaintiffs  
CALVARY CHAPEL SAN JOSE and  
MIKE MCCLURE

8 **CERTIFICATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I attest that the concurrence of Mariah Gondeiro in the  
10 filing of this stipulation has been obtained.

11 Dated: March 2, 2023

By: /s/ Robin M. Wall

ROBIN M. WALL

Deputy County Counsel

15 **~~[PROPOSED]~~ ORDER**

16 The Court, having reviewed the parties' Joint Stipulation, and good cause appearing therefor,  
17 IT IS HEREBY ORDERED that the deadline for the completion of expert discovery is extended as  
18 follows:

- 19 • To March 6, 2023, for the completion of the deposition of Dr. Tracy Hoeg;
- 20 • To March 8, 2023, for the completion and further deposition of Mr. Stephen Petty;
- 21 and
- 22 • To March 21, 2023, for the deposition of Prof. Dan Ho.

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25 Dated: March 3, 2023

26   
THE HONORABLE BETH LABSON FREEMAN  
United States District Judge

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